



NOMINATING COMMITTEE MEETING NOTICE/AGENDA

Posted at www.scdd.ca.gov

DATE: February 19, 2015

TIME: 12:30 p.m. – 1:00 p.m.

LOCATION: State Council on Developmental Disabilities
1507 21st Street, Suite 210
Sacramento, CA 95811
(916) 322-8481

CALL-IN INFORMATION: 1-800-839-9416
Participant Code 2982825

Pursuant to Government code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Thomas Johnson at (916) 322-8481 or email thomas.johnson@scdd.ca.gov. Requests must be received by 5:00 pm February 11, 2015.

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|---|-------------|---|
| 1. CALL TO ORDER | D. Forderer | |
| 2. ESTABLISHMENT OF QUORUM | D. Forderer | |
| 3. WELCOME/INTRODUCTIONS | D. Forderer | |
| 4. PUBLIC COMMENTS
<i>This item is for members of the public only to provide an opportunity to comments and/or present Information to the Committee on matters not on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first. The Committee will provide a public comment period, not to exceed a total of seven minutes, for public comment prior to action on each agenda item.</i> | | |
| 5. ESTABLISH SLATE OF NOMINEES
FOR ELECTION OF VICE-CHAIRPERSON | All | 3 |
| 6. ADJOURNMENT | D. Forderer | |

TELECONFERENCE LOCATIONS

SCDD Silicon Valley-Monterey Office

2580 North First Street, Suite 240

San Jose, CA 95131

UCDavis UCEDD

M.I.N.D. Institute

2825 50th Street

Sacramento, CA 95817

The following information is provided to assist the Nominating Committee in its consideration of Vice-Chair candidates at the February 18, 2015 meeting.

Relevant Excerpts from the Lanterman Act

W&I Code Section 4535(b) states:

The state council shall, by majority vote of the voting members, elect its own chairperson and vice chairperson who shall have full voting rights on all state council actions, from among the appointed members, described in paragraph (1) or (3) of subdivision (b) of Section 4521, and shall establish any committees it deems necessary or desirable. The chairperson shall appoint all members of committees of the state council. The chairs and vice chairs of the state council and its standing committees shall be individuals with a developmental disability, or the parent, sibling, guardian, or conservator of an individual with a developmental disability.

W&I Code Section 4521(b)(1) and (3) states**:

(1) One member from each of the 13 area boards on developmental disabilities described in Article 6 (commencing with Section 4543), nominated by the area board to serve as a council member, who shall be persons with a developmental disability, as defined in Section 15002(8) of Title 42 of the United States Code, or parents or guardians of minors with developmental disabilities or conservators of adults with developmental disabilities residing in California. Five of these members shall be persons with a developmental disability, as defined in Section 15002(8) of Title 42 of the United States Code, three shall be parents, immediate relatives, guardians, or conservators of persons with developmental disabilities, and five shall be either a person with a developmental disability or a parent, immediate relatives, guardian, or conservator of a person with a developmental disability. The nominee from each area board shall be an area board member who was appointed by the Governor.

~~(2) Eleven members of the council shall include the following:~~

~~— (A) The Secretary of California Health and Human Services, or his or her designee, who shall represent the agency and the state agency that administers funds under Title XIX of the Social Security Act for people with developmental disabilities.~~

~~— (B) The Director of Developmental Services or his or her designee.~~

~~— (C) The Director of Rehabilitation or his or her designee.~~

~~— (D) The Superintendent of Public Instruction or his or her designee.~~

~~— (E) A representative from a nongovernmental agency or group concerned with the provision of services to persons with developmental disabilities.~~

~~— (F) One representative from each of the three university centers~~

~~for excellence in the state, pursuant to Section 15061 et seq. of Title 42 of the United States Code, providing training in the field of developmental services. These individuals shall have expertise in the field of developmental disabilities.~~

~~— (G) The Director of Health Care Services or his or her designee.~~

~~— (H) The executive director of the agency established in California to fulfill the requirements and assurance of Title I, Subtitle C, of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 for a system to protect and advocate the rights of persons with developmental disabilities, or his or her designee.~~

~~— (I) The Director of Aging or his or her designee.~~

(3) Seven members at large, appointed by the Governor, as follows:

(A) Three shall be persons with developmental disabilities, as defined in Section 15002(8) of Title 42 of the United States Code.

(B) One shall be a person who is a parent, immediate relative, guardian, or conservator of a resident of a developmental center.

(C) One shall be a person who is a parent, immediate relative, guardian, or conservator of a person with a developmental disability living in the community.

(D) One shall be a person who is a parent, immediate relative, guardian, or conservator of a person with a developmental disability living in the community, nominated by the Speaker of the Assembly.

(E) One shall be a person with developmental disabilities, as defined in Section 15002(8) of Title 42 of the United States Code, nominated by the Senate Committee on Rules.

****[Section (b)(2) redacted]**

Relevant Excerpts from November 19, 2014 Bylaws

ARTICLE VII. OFFICERS

SECTION 1. Officers:

The officers of the Council shall be a Chairperson and a Vice - Chairperson elected from among the self and family advocate members appointed pursuant to Welfare and Institutions Code Section 4521(b)(1). These officers shall perform the duties described in these By-laws.

SECTION 2. Election of Member Officers:

Election of officers shall occur once every two years. The election shall be held during the last meeting of the appropriate calendar year. Only self and family advocate members shall be eligible to hold office.

SECTION 3. Voting Procedure:

Council officers shall be elected by a majority vote. Recommendations for officers shall be in the form of nominations from the Nominating Committee. Nominations may also be received from the floor prior to the election, but subsequent to the report of the Nominating Committee.

SECTION 5. Vacancies:

If the Chairperson resigns or is permanently unable to serve during the term of office pursuant to Article V Section 4, the Vice-Chairperson shall become the Chairperson for the remainder of such term. Upon the vacancy of the Vice-Chairperson's term of office or if the Vice-Chairperson resigns or is permanently unable to serve during the term of office, the Chairperson shall appoint an interim Vice-Chairperson to serve until an election is conducted. The Chairperson shall also appoint a nominating committee of at least three (3) but not more than five (5) Council members that will provide a slate of nominations for the election of Vice-Chairperson during the next appropriate Council meeting.

The voting procedure established in Article VII, Section 3 shall be used for the election process of the permanent Vice-Chairperson.

SECTION 6. Duties of the Officers:

(b) Vice-Chairperson - The responsibilities of the Vice-Chairperson are to perform all the duties of the Chairperson if the Chairperson is absent or if the Chairperson requests the Vice-Chairperson to do so. When acting in the capacity of the Chairperson, the Vice-Chairperson has the same authority as the Chairperson. The Vice-Chairperson also serves as Chair of the Executive Committee and as Parliamentarian.

ARTICLE IX, SECTION 3. Nominating Committee:

The Nominating Committee shall provide advice to the Council relative to the bi-annual election of Council officers. The Committee shall:

- (a) Be composed of at least three (3) and not more than five (5) Council members.
- (b) Be elected by the Council at the September Council meeting from a slate of nominations presented by the Executive Committee.
- (c) Serve for one year. Be elected at least forty-five (45) days prior to the annual election.

Eligible Members

1. Fedal Almaliti (parent)
2. Nancy Clyde (self-advocate)
3. Rebecca Donabed (self-advocate)
4. Max Duley (parent)
5. David Forderer (self-advocate)
6. Carmela Garnica (parent)
7. Charles Horne-Nutt (self-advocate)
8. Steven Kapp (self-advocate)
9. Sandra Smith (parent)
10. Robert M. Taylor (self-advocate)
11. Kecia Weller (self-advocate)
12. Kerstin Williams (self-advocate)
13. Ning Yang (self-advocate)